

PTO/SB/30 (12-08)

Approved for use through 01/31/2009. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) Transmittal		Application Number	10/643,221-Conf. #3448
Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		Filing Date	August 19, 2003
		First Named Inventor	Yasuhiro YOSHIOKA
		Art Unit	1795
		Examiner Name	T. Chea
		Attorney Docket Number	2870-0264P

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JAN 13 2009

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114	Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).		
a. <input type="checkbox"/> Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.			
i. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____			
ii. <input type="checkbox"/> Other _____			
b. <input checked="" type="checkbox"/> Enclosed			
i. <input type="checkbox"/> Amendment/Reply		iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)	
ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)		iv. <input checked="" type="checkbox"/> Petition to Withdraw Application from _____ <input checked="" type="checkbox"/> Other _____ Issue _____	
2. Miscellaneous			
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)			
b. <input type="checkbox"/> Other _____			
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.			
a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any Overpayments, to Deposit Account No. <u>02-2448</u>			
i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e)			
ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)			
iii. <input type="checkbox"/> Other _____			
b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed			
c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)			

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature			Date
Name (Print/Type)	Marc S. Weiner		January 13, 2009
		Registration No.	32,181

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PETITION FEE**Under 37 CFR 1.17(f), (g) & (h)****TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/643,221-Conf. #3448
Filing Date	August 19, 2003
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Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees).

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-2448 :

petition fee under 37 CFR 1.17(f), (g) or (h) any deficiency of fees and credit of any overpayments

Check in the amount of \$ _____ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.38(a) – for revocation of a power of attorney by fewer than all applicants
 § 1.53(e) – to accord a filing date.
 § 1.57(a) – to accord a filing date.
 § 1.182 – for decision on a question not specifically provided for.
 § 1.183 – to suspend the rules.
 § 1.370(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
 § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 – for access to an assignment record.
 § 1.14 – for access to an application.
 § 1.47 – for filing by other than all the inventors or a person not the inventor.
 § 1.59 – for expungement of information.
 § 1.103(a) – to suspend action in an application.
 § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
 § 1.298 – for review of refusal to publish a statutory invention registration.
 § 1.288 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
 § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
 § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
 § 1.956 – for patent owner requests for extension of time in *inter partes* reexamination proceedings.
 § 5.12 – for expedited handling of a foreign filing license.
 § 5.18 – for changing the scope of a license.
 § 6.26 – for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) – to request documents in a form other than that provided in this part.
 § 1.84 – for accepting color drawings or photographs.
 § 1.91 – for entry of a model or exhibit.
 § 1.102(d) – to make an application special.
 § 1.138(c) – to expressly abandon an application to avoid publication.
 § 1.313 – to withdraw an application from issue.
 § 1.314 – to defer issuance of a patent.

Signature

Marc S. Weiner

Typed or printed name

January 13, 2009

Date

32,181

Registration No., if applicable